

DETAILED ACTION

1. This action is responsive to the amendment and remarks filed on January 07, 2008.
2. Claims 1-36 are presented for examination and claims 37-42 are withdrawn from consideration.
3. The text of those sections of Title 35, U.S. code not included in this office action can be found in a prior office action.

Objection

4. Claims 25 and 28 are objected to because of the following informalities or grammar errors: As per claim 25, lines 2-3, "wherein said at least one interactive link includes a plurality of said interactive links" should be "wherein said interactive link includes a plurality of interactive links". As per claim 28, line 2, "recited in claim a" (i.e., missing claim number).

Claim Rejections – 35 USC 102

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

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(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

6. The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting directly or indirectly from an international application filed before November 29, 2000. Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

5. Claims 1-12 and 34-36 are rejected under 35 U.S.C. 102(e) as being anticipated by Lord, U.S. Patent Application Publication 2003/0002849 (hereinafter Lord).

6. As per claim 1, Lord teaches the invention as claimed comprising:
at least two media storage mediums, each of said storage mediums at least containing a substantially identical copy of a particular media selection ([0007]) (memories of PVRs containing common program);
at least two media players structured to selectively deliver said media selection to a user from a corresponding one of said storage mediums ([0007])(PVRs delivers the media to users from the memories);
each of said media player including a control assembly structured to selectively control and regulate delivery of said media selection to the user ([0019]);

at least one of said media players being selectively designatable as a slave unit ([0031]);
a master control assembly operatively associated with said media players ([0022]);
a connectivity assembly structured to establish a communicative link at least between
said slave unit and said master control assembly ([0020]; 18, fig. 2);
said master control assembly structured to receive synchronization data of said media
selection from each of said media players ([0031]); and
said master control assembly structured to simultaneously and uniformly control said
delivery of said media selection by said media players based on said received
synchronization data ([0031]).

7. As per claim 2, Lord teaches the invention as claimed in claim 1 above. Lord further teaches wherein said control assembly of one of said media players defines said master control assembly ([0031]).

8. As per claim 3, Lord teaches the invention as claimed in claim 1 above. Lord further teaches wherein at least two media players include a plurality of said media players (14-1 to 14-N, fig. 2) communicatively associated with at least said master control assembly ([0031]) via said connectivity assembly (18, fig. 2).

9. As per claim 4, Lord teaches the invention as claimed in claim 3 above. Lord further teaches wherein said control assemblies of a plurality of said media players may selectively define said master control assembly (col. 10, lines 47-49).

10. As per claim 5, Lord teaches the invention as claimed in claim 3 above. Lord further teaches wherein only one of said control assemblies of said plurality of media players may define said master control assembly at one time ([0031]) (one user of a PVR as Master)

11. As per claim 6, Lord teaches the invention as claimed in claim 1 above. Lord further teaches including a plurality of said media players designated as slave units ([0031]) (one of 14-1 to 14-N as Master and the other of 14-1 to 14-N as slaves).

12. As per claim 7, Lord teaches the invention as claimed in claim 6 above. Lord further teaches wherein said master control assembly is structured to provide selective control authority over all of said slave units to a select one of said slave units ([0031]).

13. As per claim 8, Lord teaches the invention as claimed in claim 1 above. Lord further teaches wherein said storage mediums include digital storage mediums ([0007]) (memory of PVR).

14. As per claim 9, Lord teaches the invention as claimed in claim 8 above. Lord further teach wherein said digital storage mediums include any digital storage medium containing standard playback encoding ([0023]) (since the recorded program in the memory of a PVR can be playback on a display, the memory must have standard playback encoding).

15. As per claim 10, Lord teaches the invention as claimed in claim 1 above. Lord further teach including a plurality of said media players designated as slave units and each of said media players including said storage mediums with said media selection ([0023]).

16. As per claim 11, Lord teaches the invention as claimed in claim 1 above. Lord further teach wherein said connectivity assembly includes a computerized network connection ([0023]).

17. As per claim 12, Lord teaches the invention as claimed in claim 1 above. Lord further teach wherein each of said media players includes said connectivity assembly structured to establish a communicative link with a computerized network ([0020]; fig. 2) (each PVRs in fig. 2 includes interface to connect to the Internet).

18. As per claim 34, Lord teaches the invention as claimed in claim 1 above. Lord further teaches wherein said synchronization data includes a location designator associated said media selection ([0031]).

19. As per claim 35, Lord teaches the invention as claimed in claim 34 above. Lord further teaches wherein said location designator includes a time code of said media selection ([0031]).

20. As per claim 36, Lord teach the invention as claimed in claim 34 above. Lord further teaches wherein said location designator includes a track number of said media selection ([0031]).

21. Claims 13-18 and 29-30 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lord in view of Bruck et al, U.S. Patent 7,143,428 (hereinafter Bruck).

22. As per claim 13, Lord teaches the invention as claimed in claim 1 above. Lord does not teach messaging assemble to permit selective messaging communication to users of said media players while said media selection is being delivered to said users. Bruck teaches comprising a messaging assembly operatively associated with each of said media players, said messaging assembly structured to permit selective messaging communication to users of said media players while said media selection is being delivered to said users (col. 7, lines 35-40; col. 2, lines 36-40).

23. It would have been obvious to one skilled in the art at the time of the invention to combine the teachings of Lord and Bruck because Bruck's teaching of messaging assembly would enhance the communication mechanism in Lord's system by allowing participates to simultaneously view a video program and participate in text communications.

24. As per claim 14, Lord and Bruck teach the invention substantially as claimed in claim 13 above. Lord and Bruck teach wherein said messaging assembly is structured to facilitate said selective messaging communication initiated by an operator (see Bruck, col. 7, lines 35-40; col. 2, lines 36-40, messaging initiated by users) of said master control assembly (see Lord, [0031], one of the users is configured to be master).

25. It would have been obvious to one skilled in the art at the time of the invention to combine the teachings of Lord and Bruck for the same reason set forth in claim 13 above.

26. As per claim 15, Lord and Bruck teach the invention substantially as claimed in claim 13 above. Bruck further teach wherein said messaging assembly is structured to facilitate said selective messaging communication initiated by said users of said media players (col. 7, lines 35-40).

27. It would have been obvious to one skilled in the art at the time of the invention to combine the teachings of Lord and Bruck for the same reason set forth in claim 13 above.

28. As per claim 16, Lord and Bruck teach the invention substantially as claimed in claim 13 above. Bruck further teach wherein said messaging assembly includes a messaging interface operatively associated therewith and structured to receive a message for communication to at least one of said media players (col. 7, lines 35-43).

29. It would have been obvious to one skilled in the art at the time of the invention to combine the teachings of Lord and Bruck for the same reason set forth in claim 13 above.

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30. As per claim 17, Lord and Bruck teach the invention substantially as claimed in claim 16 above. Bruck further teach wherein each of said media players includes said messaging interface (col. 7, lines 35-40) (each client includes messaging interface).

31. As per claim 18, Lord and Bruck teach the invention substantially as claimed in claim 13 above. Bruck further teaches wherein said messaging assembly is structured to permit selective communication of a message to at least a select one of said media players (col. 7, lines 35-40).

32. As per claim 29, Lord and Bruck teach the invention substantially as claimed in claim 13 above. Bruck further teaches wherein said messaging assembly includes a text messaging assembly structured to communicate a message visibly utilizing a monitor associated with said delivery of said media selection (col. 7, lines 35-43; fig. 6; 84, fig. 3).

33. It would have been obvious to one skilled in the art at the time of the invention to combine the teachings of Lord and Bruck for the same reason set forth in claim 13 above.

34. As per claim 30, Lord and Bruck teach the invention substantially as claimed in claim 13 above. Lord further teaches wherein said messaging assembly includes an audio messaging assembly structured to communicate a message audibly utilizing an audio system associated with each of said media player ([0032]).

35. Claims 28 and 32 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lord in view of Pantoja, U.S. Patent Application Publication 2003/0115598 (hereinafter Pantoja).

36. Pantoja was cited in the previous office action.

37. As per claims 28 and 32, Lord teaches the invention as claimed in claim 1 above. Lord does not teach a communication shell. Pantoja teaches a communication shell structured to deliver promotional materials to said user in association with said media selection ([0060]).

38. It would have been obvious to one skilled in the art at the time of the invention to combine the teachings of Lord and Pantoja because Pantoja's teaching of communication shell would increase the functionality of Lord's systems by providing a means for communication with the users while media selection is being playback.

39. Claim 33 is rejected under 35 U.S.C. 103(a) as being unpatentable over Lord in view of Fasciano et al, U.S. Patent 5,467,288 (hereinafter Fasciano).

40. Fasciano was cited in the previous office action.

41. As per claim 33, Lord teach the invention as claimed in claim 1 above. Although Lord teaches synchronization data includes an indication of the program being watched, however, Lord does not specifically teach a title of said media selection. Fasciano teaches wherein said

synchronization data includes a title of said media selection (fig. 5; col. 7, lines 45-54) (name of the clip).

42. It would have been obvious to one skilled in the art at the time of the invention to combine the teachings of Lord and Fasciano because Fasciano's teaching of synchronization data would increase the alertness of Lord's systems by providing additional information to indicate the playback of a media is in synchronization.

43. Claims 19-24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lord and Bruck in view of Pantoja.

44. As per claim 19, Lord and Bruck teach the invention substantially as claimed in claim 13 above. Lord and Bruck do not teach a communication shell. Pantoja teaches wherein said messaging assembly includes a communication shell (101 comprising windows 104, 105, 106, fig. 7) associated with a delivery of a message to said user of each of said media player ([0057]) (windows associated with a delivery of text to user of media player).

45. It would have been obvious to one skilled in the art at the time of the invention to combine the teachings of Lord, Bruck and Pantoja because Pantoja's teaching of communication shell would increase the functionality of Lord's and Bruck's systems by providing a means for communication between users while media selection is being playback.

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46. As per claim 20, Lord, Bruck and Pantoja teach the invention substantially as claimed in claim 19 above. Pantoja further teach wherein said communication shell is structured to deliver promotional materials to said user in association with said message ([0060]).

47. It would have been obvious to one skilled in the art at the time of the invention to combine the teachings of Lord, Bruck and Pantoja for the same reason as set forth in claim 19 above.

48. As per claim 21, Lord, Bruck and Pantoja teach the invention substantially as claimed in claim 20 above. Pantoja further teach wherein said communication shell includes a messaging display structured to be displayed on a monitor associated with each of said media player ([0057]), said messaging display including said promotional materials ([0060]) (e.g., advertisements) and said message ([0057]) (e.g., text).

49. As per claim 22, Lord, Bruck and Pantoja teach the invention substantially as claimed in claim 19 above. Pantoja further teach wherein said communication shell includes at least one interactive link (URL/hyperlink 96), said messaging assembly including a messaging interface structured to permit selective activation of said interactive link by said user ([0056], [0057]).

50. It would have been obvious to one skilled in the art at the time of the invention to combine the teachings of Lord, Bruck and Pantoja for the same reason as set forth in claim 19 above.

51. As per claim 23, Lord, Bruck and Pantoja teach the invention substantially as claimed in claim 22 above. Pantoja further teach wherein said interactive link is structured to initiate delivery of additional materials to said user when activated ([0056]) (content retrieved from a hyperlink).

52. As per claim 24, Lord, Bruck and Pantoja teach the invention substantially as claimed in claim 22 above. Pantoja further teach comprising a master processor assembly ([0038])(CPU) communicatively associated with said media players and structured to receive activation information associated with user activation of said interactive link from said messaging assembly of a particular media player ([0056]).

53. Claim 31 is rejected under 35 U.S.C. 103(a) as being unpatentable over Lord and Bruck in view of Zenith, U.S. Patent 6,519,771 (hereinafter Zenith).

54. As per claim 31, Lord and Bruck teach the invention substantially as claimed in claim 13 above. Although Bruck teaches wherein said messaging assembly includes a messaging assembly structured to communicate a message visibly utilizing a monitor associated with said delivery of said media selection (col. 7, lines 35-40; col. 2, lines 36-40), however Lord and Bruck do not teach video messaging assembly. Zenith teaches wherein said messaging assembly includes a video messaging assembly structured to communicate a message visibly utilizing a monitor associated with said delivery of said media selection (col. 7, lines 4-6, 18-28).

55. It would have been obvious to one skilled in the art at the time of the invention to combine the teachings of Lord, Bruck and Zenith because Zenith's teaching of video messaging assembly would improve the communication in Lord's and Bruck's systems by allowing users to utilize different type of communication instead of text communication.

56. Claims 25-27 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lord, Bruck and Pantoja in view of Du Val et al, U.S. Patent Application Publication 2002/0016820 (hereinafter Du Val).

57. Du Val was cited in the previous office action.

58. As per claim 25, Lord, Bruck and Pantoja teach the invention substantially as claimed in claim 24 above. Although Pantoja teaches including a plurality of said interactive links (URLs, 96, fig. 6), however, Lord, Bruck and Pantoja do not teach said interactive links representing a user response to a query. Du Val teaches including a plurality of interactive links, each of said interactive links representing a user response to a query ([0025] and [0030]) (interactive data (list of hyperlinks, fig. 3) is response to a request for current live data from client computers).

59. It would have been obvious to one skilled in the art at the time of the invention to combine the teachings of Lord, Bruck, Pantoja and Du Val because Du Val's teaching of

interactive links would enhance the communication of their systems by providing a means for retrieving additional related contents via the utilization of pointers.

60. As per claim 26, Lord, Bruck and Pantoja teach the invention substantially as claimed in claim 24 above. Lord, Bruck and Pantoja do not teach receiving and processing activation information from a plurality of said media players. Du Val teaches including a master processor assembly (server 108) is structured to receive and process said activation information from a plurality of said media players ([0044])(server 108 receive and process event selection from client computers).

61. It would have been obvious to one skilled in the art at the time of the invention to combine the teachings of Lord, Bruck, Pantoja and Du Val because Du Val's teaching of receive and process activation information would enhance the communication of their systems by providing a means for retrieving additional related contents via the utilization of pointers.

62. As per claim 27, Lord, Bruck, Pantoja and Du Val teach the invention substantially as claimed in claim 26 above. Pantoja and Du Val further teach wherein said master processor assembly is responsive to said activation assembly from said plurality of media players (see Du Val, [0044]) and is structured to communication instructions to said master control assembly in connection therewith (see Pantoja, [0038], [0056]).

63. Applicant's arguments with respect to claims 1-36, filed 1/07/08 have been fully considered and are moot in view of new grounds of rejection.

64. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Bae, US 2002/0091658.

65. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a). A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Philip C Lee whose telephone number is (571)272-3967. The examiner can normally be reached on 8 AM TO 5:30 PM Monday to Thursday and every other Friday. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Bunjob Jaroenchonwanit can be reached on (571) 272-3913. The fax phone number for the organization where this

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application or proceeding is assigned is 571-273-8300. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

P.L.

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